

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

JOHN HANCOCK LIFE INSURANCE )  
COMPANY, JOHN HANCOCK )  
VARIABLE LIFE INSURANCE )  
COMPANY, and MANULIFE )  
INSURANCE COMPANY (f/k/a )  
INVESTORS PARTNER LIFE )  
INSURANCE COMPANY), )

*Plaintiffs,*

v.

ABBOTT LABORATORIES,

*Defendant.*

Civil Action No. 05-11150-DPW

**REQUEST FOR ORAL ARGUMENT**

**ABBOTT LABORATORIES' EMERGENCY MOTION FOR  
PROTECTIVE ORDER REGARDING DEPOSITION OF WILLIAM DEMPSEY**

Defendant Abbott Laboratories ("Abbott") hereby moves, pursuant to Fed. R. Civ. P. 26(c), for an order declaring that William Dempsey does not need to appear for deposition on December 13, 2006.

This Motion is brought as an emergency motion because the deposition of Mr. Dempsey is presently noticed for December 13, 2006, only eight days from today.

In support of this Motion, Abbott relies upon the accompanying (a) Memorandum of Abbott Laboratories in Support of Emergency Motion for Protective Order Regarding Deposition of William Dempsey, and (b) Declaration of Ozge Guzelsu, both of which are being filed contemporaneously herewith.

WHEREFORE, Abbott respectfully requests that this Court grant Abbott's Emergency Motion for Protective Order Regarding Deposition of William Dempsey, and grant such further relief as this Court deems just and appropriate.

**REQUEST FOR ORAL ARGUMENT**

Abbott respectfully requests the Court set a date for a hearing on Abbott's Emergency Motion for Protective Order Regarding Deposition of William Dempsey. If at all possible, Abbott requests that this Court hear this motion tomorrow, December 6, 2006, during the motion hearing presently scheduled for 10:00 a.m. in this matter.

Dated: December 5, 2006

Respectfully submitted,

ABBOTT LABORATORIES

By: /s/ Michael S. D'Orsi  
Michael S. D'Orsi

One of its attorneys

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*Counsel for Abbott Laboratories*

**LOCAL RULE 7.1 AND 37.1 CERTIFICATION**

The undersigned hereby certifies that counsel for Abbott Laboratories has conferred with counsel for Plaintiffs in a good faith effort to resolve or narrow the issues in this Motion.

/s/ Michael S. D'Orsi

Michael S. D'Orsi

**CERTIFICATE OF SERVICE**

I hereby certify that this document(s) filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on December 5, 2006.

Date: December 5, 2006.

/s/ Michael S. D'Orsi

Michael S. D'Orsi